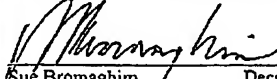


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CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office at Fax No. 571.273.8300 on December 27, 2006.


Sue Bromaghin December 27, 2006

Attorney Docket No. 10002-701.404

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: Mark A. Reiley

Application No. 10/658,515

Filing Date: September 9, 2003

Title: Facet Arthroplasty Devices and Methods

Group Art Unit: 3738

Examiner: David J. Isabella

Confirmation No. 1785

CUSTOMER NO. 66854

TRANSMITTAL OF RESPONSE TO RESTRICTION REQUIREMENT

MailStop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

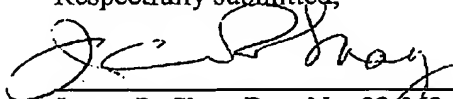
Transmitted herewith are the following documents in the above-identified application:

- (1) This Transmittal Letter; and
- (2) Response to Restriction Requirement, for which no fee is due.

☒ Please charge any fee deficit for this paper to Deposit Account No. 50-4050.

Respectfully submitted,

Dated: December 27, 2006


James R. Shay, Reg. No. 32,062

Attorney Docket 10002-701.404

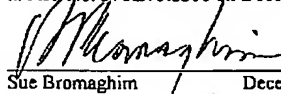
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Sir:

This communication is in response to the Office Action dated November 30, 2006, for which a reply is due December 30, 2006.

Prior to reconsidering this application on the merits, please amend the application as follows:

The Claim Listing begins on page 2 of this paper.

Remarks begin on page 6 of this paper.

Attorney Docket 10002-701.404

- 1 of 7 -